

REMARKS

I. Introduction

In response to the pending Office Action, Applicant respectfully requests reconsideration of the pending rejections for the reasons set forth below.

II. The Rejection Of Claims 1-7 Under 35 U.S.C. § 102

Claims 1-7 were rejected under 35 U.S.C. § 102 as being anticipated by USP No. 6,292,807 to Larson. Applicant respectfully submits that none of the pending claims are anticipated by Larson for the following reasons.

As recited by claim 1, the present invention relates to an information processing device comprising in-part a first and second data input/output means for providing access to a data storing means; a clock generating means for supplying a clock to the second data input/output means, and *access arranging means for causing the clock for the second data input/output means to wait* and thereby allow the first data input/output means to access the data storage means when there is a contention between the first and second data input/output means.

An exemplary embodiment of the present invention is illustrated in Fig. 1 of the specification. As shown, the access arranging device 109 provides a clock wait request signal to the clock generating device 104, *thereby suspending the clock signal to the second data input/output device 103 so as to place the device 103 in the wait state* and allow access to the data storage device 101 by the first data input/output device 102. As a result of the foregoing structure, the present invention advantageously provides a simple and effective small-scale circuit that allows for providing priority to the first data input/output device for accessing the data storage device.

Turning to Larson, this reference discloses a method of controlling pipelined memory access requests in an AGP-compliant computer system. In accordance with Larson, when read and write requests are received, "age tags" are assigned to each request, and then the requests are processed in accordance with the "age tags". The "age tags" function to indicate the time of receipt of the given request relative to previously received and subsequent requests. The process for retrieving the requests based on the "age tags" appears to be a modified FIFO system.

Importantly, however, nowhere does Larson appear to disclose or suggest an *access arranging means for causing the clock for the second data input/output means to wait* and thereby allow the first data input/output means to access the data storage means as recited by claim 1. Indeed, the portion of Larson cited in the Office Action as disclosing this element of the claim (col. 4, lines 61-63) merely states that the request queue 92 produces read and write age signals that provide information about the age of the pending requests. There is no disclosure or suggestion of causing a clock coupled to second data input/output means to wait so as to place the second data input/output means into a wait state. Thus, at a minimum, Larson fails to disclose each and every element of pending claim 1.

It is noted that each of the remaining independent claims also recite elements similar to claim 1 regarding placing a clock coupled to a data input/output means or processor to wait so as to place the data input/output means or processor into a wait state so as to allow a data transfer device having a higher priority to access to the data storage device. Thus, each of claims 2, 5, 6 and 7 are patentable for at least the same reasons as claim 1.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a

single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Larson does not anticipate any of claims 1, 2, 5, 6 or 7, nor any claim dependent thereon.

III. Conclusion

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, DC 20005-3096
202.756.8000 MEF/rp
Facsimile: 202.756.8087
Date: July 19, 2006